



California
Fair Political
Practices Commission

SUPERSEDED
by 18702.1(a)(4)

November 28, 1989

Cary Davidson
Reed & Davidson
888 West Sixth Street, 12th Floor
Los Angeles, CA 90017

Re: Your Request for Informal
Assistance
Our File No. I-89-576

Dear Mr. Davidson:

You have requested confirmation of telephone advice provided to you concerning the campaign provisions of the Political Reform Act.¹ Because your request is of a general nature, we are treating the request as one for informal assistance.² As I informed you in a recent telephone conversation, we cannot confirm the telephone advice previously provided.

Contrary to the advice provided to you by telephone, contributions made to candidate controlled committees primarily formed to support or oppose ballot measures are subject to the prohibitions on transfers between committees controlled by different candidates. (Section 85304, Hitachk Advice Letter, No. A-89-533, copy enclosed.) Therefore, a candidate or officeholder may not make a contribution from his or her campaign funds to a candidate-controlled ballot measure committee.

¹ Government Code Sections 81000-91015. All statutory references are to the Government Code unless otherwise indicated. Commission regulations appear at 2 California Code of Regulations Section 18000, et seq. All references to regulations are to Title 2, Division 6 of the California Code of Regulations.

² Informal assistance does not provide the requestor with the immunity provided by an opinion or formal written advice. (Government code Section 83114; 2 Cal. Code of Regs. Sections 18329(c).)

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If you have additional questions, please contact me at (916)
322-5662.

Sincerely,

Kathryn E. Donovan
General Counsel

A handwritten signature in dark ink, appearing to read "Wayne Imberi". The signature is fluid and cursive, with the first name "Wayne" and last name "Imberi" clearly distinguishable.

By: Wayne P. Imberi
Political Reform Consultant

DANA W. REED
CARY DAVIDSON
DARRYL R. WOLD
OF COUNSEL

FPPC REED & DAVIDSON
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Oct 4 2 05 PM '89

September 29, 1989

Ms. Jeanne Pritchard
Division Chief, Technical Assistance and Analysis Division
Fair Political Practices Commission
428 J Street, Suite 800
Sacramento, California 95814

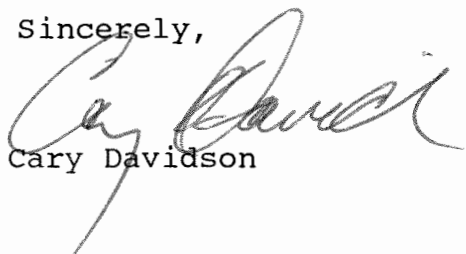
Dear Ms. Pritchard:

This letter requests informal assistance under Government Code, Section 83114(b). We request written confirmation of advice this firm received from Wayne Imberi on September 25, 1989 concerning contributions from a candidate's controlled committee to a ballot measure committee controlled by one or more candidates or officeholders. I am requesting this confirmation of advice as a person with a duty to advise other persons relating to their duties under the Political Reform Act ("the Act"). (2 California Code of Regulations, Section 18329(c)(1)).

We were advised that a candidate or officeholder committee is not prohibited from contributing to a controlled committee primarily formed to support or oppose a ballot measure, so long as the ballot measure committee does not make contributions to support or oppose candidates.

If you have any questions, please feel free to contact us.

Sincerely,


Cary Davidson

CD:lb



California Fair Political Practices Commission

October 10, 1989

Carey Davidson
Reed & Davidson
888 West Sixth Street, 12th Floor
Los Angeles, CA 90017

Re: Letter No. 89-576

Dear Mr. Davidson:

Your letter requesting advice under the Political Reform Act was received on October 4, 1989 by the Fair Political Practices Commission. If you have any questions about your advice request, you may contact me directly at (916) 322-5662.

We try to answer all advice requests promptly. Therefore, unless your request poses particularly complex legal questions, or more information is needed, you should expect a response within 21 working days if your request seeks formal written advice. If more information is needed, the person assigned to prepare a response to your request will contact you shortly to advise you as to the information needed. If your request is for informal assistance, we will answer it as quickly as we can. (See Commission Regulation 18329 (2 Cal. Code of Regs. Sec. 18329).)

You also should be aware that your letter and our response are public records which may be disclosed to the public upon receipt of a proper request for disclosure.

Very truly yours,

Jeanne Pritchard
Jeanne Pritchard
Chief Technical Assistance
and Analysis Division

JP:plh